

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: :  
: Wang et al. :  
: Application No. 10/036,332 : Art Unit: 1724  
: Filed: Dec. 24, 2001 : Examiner: R. Hopkins  
: For: CARBON NANOTUBE : Atty Docket: 12860E-CIP  
: CONTAINING STRUCTURES, :  
: METHODS OF MAKING, AND :  
: PROCESSES USING SAME :

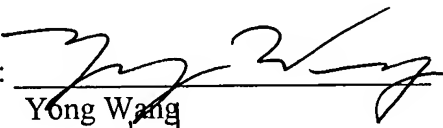
**DECLARATION PURSUANT TO 37 CFR § 1.131**

1. The attached document in which the first line reads "Prepare two kinds of samples:" is a copy of six lab notebook pages that were all written by Yufei Gao before 20 September 2000. These notebook pages contain descriptions of experiments that were carried out before 20 September 2000.
2. As indicated on the third line of the first page, a goal of this work was to prepare a structure of CoRu/Al<sub>2</sub>O<sub>3</sub> particles on carbon nanotube sponge grown on mesoporous SiO<sub>2</sub>/Fe/Al<sub>2</sub>O<sub>3</sub> dense coating/stainless steel foam.


3. The second page of the attachment shows an early experiment in which a coating of carbon nanotubes (“CN”) was deposited on a stainless steel foam.
4. The sixth (and last) page of the attachment shows the successful synthesis of composite structures that included carbon nanotubes on a stainless steel foam.
5. The stainless steel foams used in this work had large pores and these foams had through porosity. The stainless steel foam had a pore size of more than 100 nm.
6. All of the attached documents have been copied without change except that dates have been blanked out.
7. The work in the attached notebook pages is that of Yufei Gao. At the time of the work described in the attached notebook pages, Dr. Gao was working with Yong Wang.
8. Claim 6 of the pending application states:  
  
A porous carbon nanotube containing structure comprising:  
a large pore support having through porosity; and  
carbon nanotubes disposed over the large pore support.  
  
Yufei Gao and Yong Wang are joint inventors of claim 6. Ya-Huei Chin, Christopher L. Aardahl, and Terry L. Stewart are not joint inventors of the subject matter of claim 6.

9. I declare that all of the above statements made of my own knowledge are true and all statements made on information and belief are believed to be true. I understand that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. §1001), and may jeopardize the validity of the application or any patent issuing thereon.


Date: 5/18/04

By:   
Yong Wang


Date: 5/19/04

By:   
Ya-Huei Chin


Date: 5/12/04

By:   
Yufei Gao

Date: 5/21/04

By:   
Christopher L. Aardahl

Date: 5/21/04

By:   
Terry L. Stewart